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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,999	06/30/2003	Hideki Yamanaka	1341.1156	8195

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EXAMINER

ADDY, THJUAN KNOWLIN

ART UNIT	PAPER NUMBER
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2614

MAIL DATE	DELIVERY MODE
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01/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/607,999

Applicant(s)

YAMANAKA, HIDEKI

Examiner

Thjuan K. Addy

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2003 and 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the

Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/17/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on October 30, 2007 has been entered. Claims 1-5, 7, 9-15, 17, and 20-27 have been amended. No claims have been cancelled. Claim 28 has been added. Claims 1-28 are now pending in this application, with claims 1, 11, 21, and 28 being independent.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Sikora et al (US 6,449,646).

4. In regards to claims 1, 11, 21, and 28, Sikora discloses a transaction allocation apparatus, method, and computer readable medium that selects an operator (See Fig. 1 and resource/agent 14), from among a plurality of operators, to process a transaction received from a customer (See Fig. 1 and transaction initiator 12) and allocates the transaction to the operator selected (See col. 3 lines 36-46), the transaction allocation apparatus comprising: a storing unit (See Fig. 2, ACD 20, and agent list 70) that stores status information that is information relating to whether each of the operators is engaged in processing of a transaction (e.g., busy) or standby (e.g., idle) at this time (See col. 5 lines 17-29); a standby state deciding unit that decides, based on the status

information, which operators are standby at the time the transaction is received from the customer; a standby time estimating unit that estimates, while it is decided that no operator is standby, based on the status information, a standby time for each operator that is a time after which the operator is going to become standby; and an operator selecting unit (See Fig. 3, resource allocation logic 160, and resource list 162) that selects an operator based on a length of the standby time for each operator as the operator to process the transaction (See col. 7-8 lines 50-7, col. 9-10 lines 44-9, and col. 11 lines 11-31).

5. In regards to claims 2, 12, and 22, Sikora discloses the transaction allocation apparatus, method, and computer readable medium, wherein the storing unit stores an estimate time for each operator, which is a time taken by the corresponding operator to process the transaction the operator is processing at this time, and also stores a start time, which is a time at which the operator has started the processing of the transaction. the operator is processing at this time, and the standby time estimating unit estimates the standby time by subtracting a current time from a sum of the start time and the estimate time (See col. 5 lines 8-16 and col. 11 lines 11-31).

6. In regards to claims 3, 13, and 23, Sikora discloses the transaction allocation apparatus, method, and computer readable medium, wherein the operator selecting unit selects an operator with shortest standby time as the operator to process the transaction (See col. 8 lines 8-34 and col. 9-10 lines 44-9).

7. In regards to claims 4, 14, and 24, Sikora discloses the transaction allocation apparatus, method, and computer readable medium, wherein the operator selecting unit

selects an operator from among operators with standby times not more than a predetermined first time as the operator to process the transaction (See col. 8 lines 8-34 and col. 9-10 lines 44-9).

8. In regards to claims 5, 15, and 25, Sikora discloses the transaction allocation apparatus, method, and computer readable medium, further comprising: a canceling unit that cancels allocation of the transaction to the operator selected if the operator selected does not start processing the transaction within a predetermined time, wherein the standby state deciding unit repeats the decision on which operators are standby when the allocation of the transaction is cancelled (See col. 10 lines 48-56).

9. In regards to claims 6, 16, and 26, Sikora discloses the transaction allocation apparatus, method, and computer readable medium, wherein the transactions are received via any one of telephone, chat, and e-mail (See col. 3-4 lines 63-16), the storing unit stores the status information separately for the transactions received via the telephone, chat, and e-mail, and the standby state deciding unit performs the decision on which operators are standby separately for the transactions received via the telephone, chat, and e-mail based on the respective status information (See col. 6 lines 3-8).

10. In regards to claims 7, 17, and 27, Sikora discloses the transaction allocation apparatus, method, and computer readable medium, further comprising: a skill level storing unit that stores a skill level of each operator that is an expertise of the operator in processing transactions; and an extracting unit that extracts, when the transaction is received, operators whose skill levels exceed the skill levels required to process the

transaction based on the skill levels stored, wherein the standby state deciding unit performs the decision on which operators are standby from among the operators extracted by the extracting unit (See col. 7-8 lines 60-7).

11. In regards to claims 8 and 18, Sikora discloses the transaction allocation apparatus and method, further comprising: a relaxed candidate extracting unit that relaxes the skill level required to process the transaction, if the standby state deciding unit has decided that no operator is standby, and repeats the extraction of operators, wherein the standby state deciding unit performs the decision on which operators are standby from among the operators extracted by the relaxed candidate extracting unit (See col. 7-8 lines 60-7).

12. In regards to claims 9 and 19, Sikora discloses the transaction allocation apparatus and method, wherein the operator selecting unit selects an operator whose skill level exceeds the skill level required to process the transaction by minimum as the operator to process the transaction, from among operators with standby times not more than a predetermined time (See col. 7-8 lines 60-7).

13. In regards to claims 10 and 20, Sikora discloses the transaction allocation apparatus and method, wherein the operator selecting unit selects an operator whose skill level exceeds by minimum the skill level relaxed by minimum as the operator to process the transaction, from among operators with standby times not more than a predetermined fourth time (See col. 7-8 lines 60-7).

Response to Arguments

14. Applicant's arguments filed 10/30/2007 have been fully considered but they are not persuasive.

15. In regards to claim 1, Applicant argues that Sikora does not teach or suggest a standby time estimating unit that estimates, while it is decided that no operator is standby, based on the status information, a standby time for each operator that is a time after which the operator is going to become standby; and an operator selecting unit that selects an operator based on a length of the standby time for each operator as the operator to process the transaction. In regards to claims 11 and 12, Applicant further argues that Sikora does not teach or suggest estimating, based on the status information, a standby time for each operator that is a time after which the operator is going to become standby, while it is decided at the deciding that no operator is standby; and selecting an operator based on a length of the standby time for each operator as the operator to process the transaction.

16. In response to Applicant's argument that Sikora does not teach or suggest a standby time estimating unit that estimates, while it is decided that no operator is standby, based on the status information, a standby time for each operator that is a time after which the operator is going to become standby; and an operator selecting unit that selects an operator based on a length of the standby time for each operator as the operator to process the transaction, Examiner respectfully disagrees. Sikora does teach and suggest a standby time estimating unit that estimates, while it is decided that no operator is standby, based on the status information, a standby time for each

operator that is a time after which the operator is going to become standby; and an operator selecting unit (See Fig. 3, resource allocation logic 160, and resource list 162) that selects an operator based on a length of the standby time for each operator as the operator to process the transaction (See col. 7-8 lines 50-7, col. 9-10 lines 44-9, and col. 11 lines 11-31).

17. In response to Applicant's argument that Sikora does not teach or suggest estimating, based on the status information, a standby time for each operator that is a time after which the operator is going to become standby, while it is decided at the deciding that no operator is standby; and selecting an operator based on a length of the standby time for each operator as the operator to process the transaction, Examiner respectfully disagrees. Sikora does teach and suggest estimating, based on the status information, a standby time for each operator that is a time after which the operator is going to become standby, while it is decided at the deciding that no operator is standby, and selecting an operator based on a length of the standby time for each operator as the operator to process the transaction (See col. 5 lines 8-16, col. 7-8 lines 50-7, col. 9-10 lines 44-9, and col. 11 lines 11-31).

Conclusion

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

19. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/607,999
Art Unit: 2614

Page 9

22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thjuan K. Addy
Patent Examiner
AU 2614